

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 1:10CR384
	)	
Plaintiff,	)	
v.	)	JUDGE SARA LIOI
	)	
	)	
FRANK P. RUSSO,	)	
Defendant.	)	

MOTION PURSUANT TO RULE 35 FED.. R. CRIM. PROC.

Now comes counsel for the United States, and respectfully requests, pursuant to Rule 35(b)(1) of the Federal Rules of Criminal Procedure, that this Court consider reducing the sentence of Defendant for providing substantial assistance to the United States in investigating and prosecuting persons who are targets and subjects of the Cuyahoga County corruption investigation.

Defendant pleaded guilty to an information on September 16, 2010 (Doc. 7) and was sentenced to a term of 262 months on December 15, 2010 (Doc. 19). The judgment was entered on December 29, 2010 (Doc. 21) and was amended on January 4, 2010 (Doc. 22).

At sentencing, the United States indicated that Defendant was in the early stages of cooperating in the investigation and that a motion under Rule 35 might be made.

The United States requests that once Defendant's cooperation is substantially complete that this Court schedule a hearing on this motion. The United States makes no representation about the sentencing recommendation it will make at such hearing.

Respectfully submitted,

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Attorney General of the United States

Barbara L. McQuade  
United States Attorney  
Eastern District of Michigan

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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

/s/Ann C. Rowland  
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